

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND SEVENTEEN

S.P. 590 - L.D. 1640

**Resolve, To Allow the Issuance of Open Burn Permits through Private  
Online Services**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, under current law, anyone performing out-of-door burning, including burning for agricultural purposes and of brush, leaves, wood waste and grass fields, is required to obtain a permit from the town forest fire warden or from the forest ranger having jurisdiction over the location where the fire is to be set; and

**Whereas**, until recently, as a convenience to the residents of the State, burn permits were available online and for free through a 3rd-party provider; and

**Whereas**, due to a change in interpretation of policy by the Commissioner of Agriculture, Conservation and Forestry, residents of the State are no longer able to get free online burn permits; and

**Whereas**, the burn permits issued online by the Department of Agriculture, Conservation and Forestry carry a cost of \$7 per permit; and

**Whereas**, in order to restore to the residents of the State the convenience of obtaining burn permits online and for no charge, it is necessary that this legislation take effect as soon as possible; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Department of Agriculture, Conservation and Forestry, Bureau of Forestry to allow municipalities to purchase burn permit software. Resolved:** That the Department of Agriculture, Conservation and Forestry, Bureau of Forestry shall allow municipalities to purchase and use burn permit software sold from a private party to

issue burn permits pursuant to the Maine Revised Statutes, Title 12, section 9325 if all statutory requirements of issuing burn permits are met by the software.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.